

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

CIVIL NO. 3:98CV394

CALVIN R. LUCKEY, and wife PEGGY)

G. LUCKEY, et al.,)

)

This document pertains to:)

)

KENNETH G. SMITH, and wife)

MARGARET SMITH; DAVID R.)

WHITESIDE, SR., and wife LINDA L.)

WHITESIDE; and CLEMENT)

KEENE, and wife BARBARA JO)

DEATHERAGE KEENE,)

)

Plaintiffs,)

)

Vs.)

ORDER

A. W. CHESTERTON, INC., et al.,)

)

Defendants.)

THIS MATTER is before the Court on the joint motions of the specific Plaintiffs captioned above and Defendant Crown Cork & Seal Company, Inc., to dismiss without prejudice their claims against said Defendant.

For the reasons stated in the motion,

IT IS, THEREFORE, ORDERED that the joint motions to dismiss are **ALLOWED**, and the claims of Kenneth G. Smith, and wife Margaret Smith;

David R. Whiteside, Sr., and wife Linda L. Whiteside; and Clement Keene, and wife Barbara Jo Deatherage Keene, against the Defendant Crown Cork & Seal Company, Inc., are hereby **DISMISSED WITHOUT PREJUDICE.**

Signed: February 25, 2007



Lacy H. Thornburg
United States District Judge

